GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4318
ANSWERED ON:28.03.2017
Security to Witnesses
Ghubaya Shri Sher Singh;Malviya Prof. Chintamani;Ray Dr. Ravindra Kumar

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government provides protection/security to witnesses in the country and if so, the details thereof and if not, the reasons therefor;

(b) the total number of witnesses provided security at present, State-wise;

(c) whether the Government has received complaints with regard to attack/ murder, harassment, threatening of witnesses etc.;

(d) if so, the total number of such cases reported, guilty arrested and the action taken against them during each of the last three years and the current year, State and UT-wise; and

(e) the remedial measures taken by the Government in this regard including evolving an effective witness protection programme in the country?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to (e): 'Police' and 'Public Order' are State subjects under the seventh Schedule to the Constitution of India. Criminal Law & Criminal Procedure are subject in concurrent list of the Constitution of India. Law Commission of India in its 198th Report gave its recommendations on "Witness Identity
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Protection & Witness Protection programme". Based on recommendations, the Bill was circulated to the State Governments/Union Territory Administrations for their views. As there was no consensus among the States, the matter was referred to Bureau of Police Research & Development (BPR&D) on 03.11.2016 to examine the matter having regard to the observation of the states and feasibility of an implementable Identity Protection programme and supporting Law so as to enable Government to take a considered view.

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